

## **Remarks**

The above Amendments and these Remarks are in reply to the Final Office Action mailed on December 20, 2005, and is being filed concurrently with a REQUEST FOR CONTINUED EXAMINATION UNDER 37 C.F.R. §1.114.

### **I. Summary of Examiner's Rejections**

Prior to the Office Action mailed on December 20, 2005, Claims 57, 58, 63, 64, 72, 73, 81, 82 and 90-95 were pending in the Application. In the Office Action, Claims 57, 63, 72, 81, 90, 92 and 94 were rejected under 35 U.S.C. 103(a) as being unpatentable over Luckenbaugh (U.S. Patent No. 5,991,877) in view of Arnold et al (U.S. Patent No. 6,466,947, hereinafter Arnold). Claims 58, 64, 73 and 82 were rejected under 103(a) as being unpatentable over the modified Luckenbaugh and Arnold system. Claims 91, 93 and 95 were rejected under 35 U.S.C. 103(a) as being unpatentable over the modified Luckenbaugh and Arnold system and further in view of Balassanian (U.S. Patent No. 6,324,685). Claims 57-58, 63-64, 72-73 and 81-82 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1, 26 and 28 of U.S. Patent No. 6,941,472. Claims 90-95 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1, 26 and 28 of U.S. Patent No. 6,941,472 in view of Luckenbaugh and Balassanian.

### **II. Summary of Applicant's Amendment**

Applicant does not agree with the above rejections for at least the reasons presented in the Response mailed on November 21, 2005. However, for the purpose of expediting prosecution of this application, Applicant herein presents some amendments that will further highlight the distinctions between claimed embodiments of the present invention and the cited references. Applicant reserves the right to pursue any earlier presented claims in a currently pending or continuation application, without prejudice to or disclaimer of the earlier presented claims.

The present Response amends Claims 57, 63, 72, 81, 91, 93 and 95, leaving for the Examiner's present consideration Claims 57, 58, 63, 64, 72, 73, 81, 82 and 90-95. Reconsideration of the Application and of the claims is respectfully requested.

### **III. Rejections Under 35 U.S.C. § 103(a)**

In the Office Action mailed December 20, 2005, Claims 57, 63, 72, 81, 90, 92 and 94 were

rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Luckenbaugh (U.S. Patent No. 5,991,877) in view of Arnold et al (U.S. Patent No. 6,466,947, hereinafter Arnold). Claims 58, 64, 73 and 82 were rejected under 103(a) as being allegedly unpatentable over the modified Luckenbaugh and Arnold system. Claims 91, 93 and 95 were rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over the modified Luckenbaugh and Arnold system and further in view of Balassanian (U.S. Patent No. 6,324,685).

#### **Claim 57**

Claim 57 has been amended to more clearly define the embodiment therein. As amended, Claim 57 now defines:

*57. (Currently Amended) A system for maintaining security in a distributed computing environment, comprising:*  
*a policy manager located on a server for creating a local security policy and for distributing the local security policy to a client wherein the local security policy includes a plurality of rules customized to the client; and*  
*an application guard located at the client for managing access to securable components at a client level as specified by the local security policy, the securable components including at least one application;*  
*wherein the policy manager receives a global security policy that includes a plurality of rules for regulating access to securable components within the system and wherein the policy manager customizes the local security policy by selecting a subset of rules from the global security policy that is applicable to the application guard and distributes the subset to the application guard.*

As amended, Claim 57 defines a policy manager that receives a global security policy including a plurality of rules for regulating access to securable components within the system. The policy manager then customizes a local security policy for the client by selecting a subset of rules from the global security policy, that is applicable to the application guard located on the client and distributes the customized local security policy to the client to be enforced thereon. Applicant respectfully submits that Luckenbaugh in combination with Arnold fail to render obvious these features of Claim 57.

In the Office Action it was proposed that “at the time of the invention it would have been obvious to a person of ordinary skill in the art to use Arnold’s policy distribution and enforcement in the Luckenbaugh system.” Applicant respectfully disagrees. Luckenbaugh explicitly teaches away

from using local enforcement and distribution functionality. For example, Luckenbaugh teaches that “security policies are preferably enforced by the server. In contrast, a client processor is not necessarily trusted...” (Col. 6, lines 26-30). As such, since Luckenbaugh teaches away from local policy enforcement and distribution, it would not have been obvious to a person of ordinary skill in the art to combine its teachings with the teachings in Arnold. Accordingly, Luckenbaugh and Arnold in combination fail to render obvious the features of Claim 57.

Furthermore, even if Luckenbaugh and Arnold could be combined, they would still fail to render obvious the features defined in Claim 57. For example, Luckenbaugh in combination with Arnold still fail to teach a policy manager that receives a global security policy including a plurality of rules for regulating access to securable components and wherein the policy manager customizes the local security policy by selecting a subset of rules from the global policy that is applicable to the application guard and distributes the subset to the application guard, as defined in Claim 57.

Firstly, Luckenbaugh and Arnold fail to disclose customizing a security policy local to the client by selecting a subset of the global policy’s rules that apply to the application guard, as defined in Claim 57. For example, both Luckenbaugh and Arnold fail to disclose any global security policy. Furthermore, the references fail to teach customizing a local policy from the global policy. Instead, Luckenbaugh teaches that a custom policy manager can be developed by writing code during the development of a trusted application (Luckenbaugh col. 12, lines 30-33). This is different from deriving a customized local security policy from a global policy by selecting a subset of its rules that apply to the application guard, as defined in Claim 57. Some advantages of this feature include that no code needs to be written by the developer, and that each client receives a security policy customized to the application guard.

Secondly, it was admitted in the Office Action mailed December 20, 2005 that Luckenbaugh fails to disclose distributing the policy to clients where the policy is enforced. It was proposed, however, that Arnold teaches distributing a policy to clients where the policy is enforced. Applicant respectfully disagrees. Arnold appears to teach that a machine first determines if a verification is requested and if so, it requests a policy object from a server. When it receives the policy object, that object appears to include a reference to the code for use in verification (Arnold, col. 9, lines 45-51). This is different from the policy manager located on the server creating a customized local policy

and then distributing that local policy to each client, as defined in Claim 57. Rather than the client requesting a policy object from the server upon each verification request, as apparently taught in Arnold, the advantages of Claim 57 allow clients to be automatically provided with a set of rules which they can use to enforce security locally without further requests to the server. A further advantage is the enablement of central security management at the server/policy manager level for all clients.

In view of the above comments, Applicant respectfully submits that Claim 57, as amended, is neither anticipated by, nor obvious in view of the cited references, and reconsideration thereof is respectfully requested.

#### **Claims 63, 72 and 81**

Claims 63, 72 and 81 have been amended similarly to Claim 57 to more clearly define the embodiments therein. Applicant respectfully submits that Claims 63, 72 and 81 as amended, are likewise neither anticipated by, nor obvious in view of the cited references, and reconsideration thereof is respectfully requested.

#### **Claims 58, 64, 73, 82 and 90-95**

Claims 58, 64, 73, 82 and 90-95 are not addressed separately, but it is respectfully submitted that these claims are allowable as depending from an allowable independent claim, and further in view of the comments provided above. Applicant respectfully submits that Claims 58, 64, 73, 82 and 90-95 are similarly neither anticipated by, nor obvious in view of the cited references, and reconsideration thereof is respectfully requested.

It is also submitted that these claims also add their own limitations which render them patentable in their own right. Applicant respectfully reserves the right to argue these limitations should it become necessary in the future.

#### **IV. Double Patenting**

In the Office Action mailed December 20, 2005, Claims 57-58, 63-64, 72-73 and 81-82 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1, 26 and 28 of U.S. Patent No. 6,941,472. Claims 90-95 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1, 26 and 28 of U.S. Patent No. 6,941,472 in view of Luckenbaugh and Balassanian.

The present Response amends independent Claims 57, 63, 72 and 81. Applicant respectfully submits that as amended, these claims are patentably distinct from Claims 1, 26 and 28 of U.S. Patent No. 6,941,472. Claims 58, 64, 73, 82 and 90-95 depend from Claims 57, 63, 72 and 81 and as such they are patentably distinct for at least the same reasons as their respective independent claim. Accordingly, reconsideration thereof is respectfully requested.

**V. Conclusion**


In light of the above amendments and remarks, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and reconsideration thereof is requested. The Examiner is respectfully requested to telephone the undersigned before an advisory action is issued in order to avoid any unnecessary filing of an appeal.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: March 20, 2006

By: \_\_\_\_\_

  
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